

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND  
*Baltimore Division*

IN RE:	)	
	)	
CURTIS D. FLOOD	)	Case No. 10-37227 RAG
	)	Chapter 13
Debtor.	)	
	)	
	)	
CURTIS D. FLOOD,	)	
	)	
Plaintiff,	)	
	)	
v.	)	AP. No. 16-00142
	)	
OCWEN LOAN SERVICING, LLC;	)	
U.S. BANK TRUST, N.A., as Trustee for	)	<b>JURY TRIAL DEMANDED</b>
LSF9 Master Participation Trust; and	)	
CALIBER HOME LOANS, INC.,	)	
	)	
Defendants.	)	
	)	

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**MOTION TO STRIKE ANSWER AND AFFIRMATIVE DEFENSES OF  
DEFENDANTS CALIBER HOME LOANS, INC. AND U.S. BANK TRUST, N.A. AS  
TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST**

Plaintiff Curtis Flood (“**Plaintiff**”), by his undersigned attorney, pursuant to Rules 8(b) and Rule 12(f) of the Federal Rules of Civil Procedure and Rule 7008 and Rule 7012 of the Federal Rules of Bankruptcy Procedure respectfully moves the Court to strike the answer and affirmative defenses of Defendant Caliber Home Loans, Inc. and U.S. Bank Trust, N.A. as Trustee for LSF9 Master Participation Trust (“**Defendants**”).

In support of his Motion, Plaintiff, submits a Memorandum of Points and Authorities, which is incorporated by reference herein.

Dated: May 20, 2016

Respectfully submitted,

/s/ Morgan W. Fisher  
Morgan W. Fisher (#28711)  
Law Offices of Morgan Fisher LLC  
172 West Street  
Annapolis, MD 21401

PH: 410-626-6111  
[mwf@morganfisherlaw.com](mailto:mwf@morganfisherlaw.com)

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY, that on this 20<sup>th</sup> day of May 2016, I served a copy of the Plaintiff's **Motion to Strike, Memorandum and Proposed Order** via the Court's CM/ECF system to all Defendants and via email to the Chapter 13 Trustee and United States Trustee, Baltimore Division as follows:

**Service List**

Thomas D. Kohn, Esq.  
Kimberly H. Neal, Esq.  
Pessin Katz Law, P.A.  
901 Dulaney Valley Road, Suite 500  
Towson, MD 21204

Via CM/ECF: Thomas D. Kohn [tkohn@pklaw.com](mailto:tkohn@pklaw.com)  
(Counsel for Defendants Caliber Home Loans, Inc., U.S. Bank Trust, N.A)

James Billings-Kang, Esq.  
Joseph Patry, Esq  
600 New Hampshire Avenue NW  
Washington, DC 20037

Via CM/ECF: [jbillings-kang@blankrome.com](mailto:jbillings-kang@blankrome.com) & [JPatry@BlankRome.com](mailto:JPatry@BlankRome.com)  
(Counsel for Defendant Ocwen Loan Servicing, LLC)

Gerard Vetter, Esq.  
Interim Chapter 13 Trustee & Assistant United States Trustee  
Office of The United States Trustee  
101 West Lombard Street  
Suite 2625  
Baltimore, MD 21201

Dated May 20, 2016

/s/ Morgan W. Fisher  
Morgan W. Fisher #28711